



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on September 19, 2017.

Date of Meeting: January 10, 2017

The Mayor and Council of the City of Tucson met in regular session in the Mayor and Council Chambers in City Hall, 255 West Alameda Street, Tucson, Arizona, at 5:39 p.m., on Tuesday, January 10, 2017, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Rothschild and upon roll call, those present and absent were:

Present:

Regina Romero
Karin Uhlich
Shirley C. Scott
Richard G. Fimbres
Steve Kozachik
Jonathan Rothschild

Vice Mayor, Council Member Ward 1
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5
Council Member Ward 6
Mayor

Absent/Excused:

Paul Cunningham

Council Member Ward 2

Staff Members Present:

Michael J. Ortega
Michael Rankin
Roger W. Randolph

City Manager
City Attorney
City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Father Earl Cantos, St. Demetrios Greek Orthodox Church, after which the Pledge of Allegiance was presented by the entire assembly.

Presentations:

- a. Mayor Rothschild proclaimed January 16 to be “Martin Luther King Jr. Day”. Clarence Boykins, President and Executive Chief Officer of the Tucson Southern Arizona Black Chamber of Commerce (TSABCC), accepted the proclamation.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager’s communication number 1, dated January 10, 2017, was received into and made part of the record. He also announced this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

Current event reports were provided by Vice Mayor Romero, and Council Members Scott and Fimbres. A recording of this item is available from the City Clerk’s Office for ten years from the date of this meeting.

4. CITY MANAGER’S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Rothschild announced City Manager’s communication number 2, dated January 10, 2017 was received into and made part of the record. He also announced this was the time scheduled to allow the City Manager to report on current events, and asked for that report.

Current event report was provided by Michael J. Ortega, City Manager. A recording of this item is available from the City Clerk’s Office for ten years from the date of this meeting.

5. LIQUOR LICENSE APPLICATIONS

Mayor Rothschild announced City Manager’s communication number 3, dated January 10, 2017, was received into and made part of the record. He asked the City Clerk to read the Liquor License Agenda.

- b. Liquor License Application(s)

Person/Location Transfer(s)

- 1. Rialto Concepts, Ward 6
300 E. Congress St.
Applicant: Andrea Dahlman Lewkowitz
Series 6, City 91-16
Action must be taken by: January 13, 2017

Staff has indicated the applicant is in compliance with city requirements.

NOTE: State law provides that for a person and location transfer, Mayor and Council may consider both the applicant's capability, qualifications, reliability and location issues. (A.R.S. Section 4-203; R19-1-102)

c. Special Event(s)

1. Reveille Gay Men's Chorus, Ward 3
2175 N. 6th Ave.
Applicant: John Michel White
City T167-16
Date of Event: March 18, 2017
(Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

2. Sonoran Art Foundation dba Sonoran Glass School, Ward 1
633 W. 18th St.
Applicant: Lynn Kathryn Davis
City T169-16
Date of Event: February 3, 2017
(Art Show & Flame Off)

Staff has indicated the applicant is in compliance with city requirements.

3. Tucson Botanical Gardens, Ward 6
2150 N. Alvernon Way
Applicant: Mary Ann Confrey
City T173-16
Date of Event: January 27, 2017
(Frida Friday Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

4. Tucson Botanical Gardens, Ward 6
2150 N. Alvernon Way
Applicant: Mary Ann Confrey
City T174-16
Date of Event: February 4, 2017
(Savor)

Staff has indicated the applicant is in compliance with city requirements.

5. Tucson Botanical Gardens, Ward 6
2150 N. Alvernon Way
Applicant: Mary Ann Confrey
City T175-16
Date of Event: February 24, 2017
(Frida Friday Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

6. University of Arizona Athletic Department, Ward 6
565 N. Cherry Ave.
Applicant: Jaime Leigh Odom
City T176-16
Date of Event: February 1, 2017
(Arizona Football Signing Day)

Staff has indicated the applicant is in compliance with city requirements.

This item was considered separately.

7. St. Augustine Catholic High School, Ward 2
8800 E. 22nd St.
Applicant: Sarah Doreen Alderete
City T177-16
Date of Event: February 18, 2017
(7th Annual High School Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

8. Tucson Rodeo Parade Committee, Inc., Ward 5
4823 S. 6th Ave.
Applicant: Diane Lorene Culin
City T178-16
Date of Event: January 21, 2017
(Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

9. St. Demetrios Church, Ward 3
1145 E. Fort Lowell Rd.
Applicant: Kenneth M. Murch
City T179-16
Date of Event: February 18, 2017
(Fundraiser)

Staff has indicated the applicant is in compliance with city requirements.

d. Agent Change/Acquisition of Control/Restructure

1. Doubletree Hotel, Ward 6
445 S. Alvernon Way
Applicant: Andrea Dahlman Lewkowitz
Series 11, City AC32-16
Action must be taken by: January 6, 2017

Staff has indicated the applicant is in compliance with city requirements.

NOTE: The local governing body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. (A.R.S. Section 4-203.F)

It was moved by Vice Mayor Romero, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Cunningham absent/excused), to forward liquor license applications 5b1, 5c1 through 5c5, 5c7 through 5c9, and 5d1 to the Arizona State Liquor Board with a recommendation for approval.

5. LIQUOR LICENSE APPLICATIONS

c. Special Event(s)

6. The University of Arizona Athletic Department, Ward 6
565 N. Cherry Ave.
Applicant: Jaime Leigh Odom
City T176-16
Date of Event: February 1, 2017
(Arizona Football Signing Day)

Staff has indicated the applicant is in compliance with city requirements.

It was moved by Vice Mayor Romero, duly seconded, and passed by a roll call vote of 5 to 0 (Council Member Cunningham absent/excused and Council Member Kozachik declared a conflict of interest), to forward liquor license application 5c6 to the Arizona State Liquor Board with a recommendation for approval.

6. CALL TO THE AUDIENCE

Mayor Rothschild announced this was the time any member of the public was allowed to address the Mayor and Council on any issue except for items scheduled for a public hearing. Speakers were limited to three-minute presentations.

Mayor Rothschild also announced that pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during “call to the audience.”

Comments were made by:

Beryl Baker
Robert Reus

Mark Spear
Richard Estrada

Pedro Gonzales
Kenny Langone

Mayor Rothschild directed staff to follow up with Mr. Reus on Section 8 Housing on the 4900 block of Copper Street.

A recording of this item is available from the City Clerk's Office for ten years from the date of this meeting.

7. CONSENT AGENDA – ITEMS A THROUGH G

Mayor Rothschild announced the reports and recommendations from the City Manager on the Consent Agenda were received into and made part of the record. He asked the City Clerk to read the Consent Agenda.

a. APPROVAL OF MINUTES

1. Report from City Manager JAN10-17-4 CITY WIDE
2. Mayor and Council Regular Meeting Minutes of May 3, 2016
3. Mayor and Council Study Session Legal Action Report and Summary Minutes of May 3, 2016

b. TUCSON CODE: AMENDING (CHAPTER 10) POLICE OFFICER RECRUIT REFERRAL COMPENSATION PROGRAM

1. Report from City Manager JAN10-17-5 CITY WIDE
2. Ordinance No. 11426 relating to Compensation Plan; amending Tucson Code Chapter 10, Civil Service-Human Resources, Article II, Compensation Plan, Section 10-47, adding additional compensation for recruitment referral; and declaring an emergency.

(This item was considered separately at the request of Vice Mayor Romero.)

c. FINANCE: APPROVAL OF A LEASE-PURCHASE AGREEMENT FOR THE ACQUISITION OF NEW FIRE APPARATUS AND EQUIPMENT

1. Report from City Manager JAN10-17-15 CITY WIDE

(This item has been removed from the agenda at the request of Staff.)

d. PARKS AND RECREATION: AUTHORIZING EXECUTION OF A COMMUNITY PARTNER PLAYGROUND WITH KABOOM, INC. TO SECURE GRANT FUNDING

1. Report from City Manager JAN10-17-6 WARD 1
2. Resolution No. 22701 relating to Parks and Recreation; authorizing execution of a Community Partner Playground Contract with KaBOOM!, Inc. in order to secure Grant Funding to build a playground at John F. Kennedy Park; and declaring an emergency.

- e. PARKS AND RECREATION: APPROVAL OF FIFTH AMENDMENT TO THE LEASE AGREEMENT WITH ST. JOHN THE EVANGELIST ROMAN CATHOLIC PARISH
 - 1. Report from City Manager JAN10-17-12 WARD 1
 - 2. Resolution No. 22702 relating to Real Property; authorizing and approving the Fifth Amendment to the lease of certain real property between the City of Tucson and St. John the Evangelist Roman Catholic Parish, Diocese of Tucson, for St. John’s Park; and declaring an emergency.

- f. FINAL PLAT: (S16-063) EMERY PARK PLACE, LOTS 1 THROUGH 4 AND COMMON AREA “A”
 - 1. Report from City Manager JAN10-17-7 WARD 1
 - 2. Staff recommends that the Mayor and Council approve the plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

- g. FINAL PLAT: (S16-062) TUCSON SOUTH, LOTS 11-1 AND 11-2 AND COMMON AREA “A”
 - 1. Report from City Manager JAN10-17-13 WARD 1
 - 2. Staff recommends that the Mayor and Council approve the plat as presented. The applicant is advised that building/occupancy permits are subject to the availability of water/sewer capacity at the time of actual application.

It was moved by Council Member Scott, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Cunningham absent/excused), that Consent Agenda Items a – g, with the exception of Item b, which was considered separately and Item c, which was removed from the agenda at the request of staff, be passed and adopted and the proper action taken.

7. CONSENT AGENDA – ITEM B

- b. TUCSON CODE: AMENDING (CHAPTER 10) POLICE OFFICER RECRUIT REFERRAL COMPENSATION PROGRAM
 - 1. Report from City Manager JAN10-17-5 CITY WIDE
 - 2. Ordinance No. 11426 relating to Compensation Plan; amending Tucson Code Chapter 10, Civil Service-Human Resources, Article II, Compensation Plan, Section 10-47, adding additional compensation for recruitment referral; and declaring an emergency.

Mayor Rothschild announced Vice Mayor Romero requested this item be considered separately.

Vice Mayor Romero said she wanted to follow up on the previous conversation in terms of the Police Officer Recruitment Referral Compensation Program. She stated part of the program was to create mentorship opportunities and requested the City Attorney add language to the Ordinance that would codify mentorship and diversity, and have the Chief of Police add additional language to their administrative procedures. She also asked if language could be added in terms of diversity and recruitment.

Michael Rankin, City Attorney, suggested adding an additional sentence to subsection d of Section 10-47 of the proposed ordinance to read; "Eligibility for police officer referral compensation under subsection b is conditioned on satisfaction of criteria established by the Chief of Police and incorporated into an administrative directive or similar policy."

Mr. Rankin stated this way the Chief of Police could then codify what those criteria's were and administers the program accordingly. Mr. Rankin said, in terms of diversity and recruitment, it would be best to specify that the Chief of Police would establish the criteria. He said the Chief of Police mentioned he already had a policy in place and suggested giving him the authority.

Vice Mayor Romero asked if there was any type of language that could be added because she knew for a fact that diversity was practiced and included in the hiring process. She said she just wanted to make sure it was being codified, and if so, the Ordinance could be passed that evening with the option to modify as necessary.

Mayor Rothschild suggested that the added language be added to the Ordinance and passed that evening. He said Mr. Rankin and the Chief of Police could speak to those interested once they looked at the language for any revisions before codifying it.

Council Member Uhlich said one thought she had was that in the Ordinance there was a bit of a preamble or title which stated, "adding additional compensation for recruitment referral; ..." She said the Chief could articulate that and use it as a phrase to achieve the purposes of ... to enhance diversity within the department and the retention/recruitment of quality officers.

Mr. Rankin stated in addition to the language he provided earlier, he could add a sentence stating; "such criteria will include mentorship opportunities and promotion of diversity and the recruitment and retention of employees."

It was moved by Vice Mayor Romero, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Cunningham absent/excused), that Consent Agenda Item b be passed and adopted and proper action taken with the inclusion of the additional language as read into the record.

8. PUBLIC HEARING: JOHN AND DOROTHY JONES ANNEXATION DISTRICT

Mayor Rothschild announced City Manager's communication number 8, dated January 10, 2017, was received into and made part of the record. He also announced this was the time and place legally advertised for a public hearing on the John and Dorothy Jones Annexation District. He said the public hearing was scheduled to last for no more than one hour and speakers were limited to five-minute presentations. He asked if there was anyone wishing to speak on the item.

There were no speakers.

It was moved by Council Member Fimbres, duly seconded and carried by a voice vote of 6 to 0 (Council Member Cunningham absent/excused), to close the public hearing.

It was moved by Council Member Scott, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Cunningham absent/excused), to proceed with the John and Dorothy Jones Annexation District.

9. ZONING: (C9-16-06) TRACTOR SUPPLY CO. – VALENCIA ROAD C-1 AND I-1 TO C-2, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 9, dated January 10, 2017, was received into and made part of the record. He asked the City Clerk to read Ordinance 11427 by number and title only.

Ordinance No. 11427 relating to Zoning: amending zoning district boundaries on the east side of Valley Indian Agency Road, approximately 400 feet south of Valencia Road in Case C9-16-06, Tractor Supply Co.-Valencia Road, C-1 and I-1 to C-2; and setting an effective date.

It was moved by Vice Mayor Romero, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Cunningham absent/excused), to approve the request as recommended by the Zoning Examiner and pass and adopt Ordinance 11427.

10. ZONING: (C15-16-02) ESTABLISHING ORIGINAL CITY ZONING FOR THE BRYSON ANNEXATION DISTRICT, COUNTY SR TO CITY SR, ORDINANCE ADOPTION

Mayor Rothschild announced City Manager's communication number 10, dated January 10, 2017, was received into and made part of the record. He said this was a request to establish Original City Zoning within the Bryson Annexation District, located on the south side of Speedway Boulevard east of Houghton Road. The current County zoning is SR. The proposed City Zoning is SR. The Zoning Examiner and staff recommended approval of the SR zone and extension of Major Streets and Routes Plan,

scenic arterial street designation for Speedway Boulevard within the Bryson Annexation District. He asked the City Clerk to read Ordinance 11428 by number and title only.

Ordinance No. 11428 relating to Zoning; establishing original City zoning located on the south side of Speedway Boulevard approximately 1,000 feet east of Houghton Road in Case C15-16-02, Bryson Annexation District, County SR to City SR; and setting an effective date.

It was moved by Council Member Scott, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Cunningham absent/excused), to approve the request for original City zoning as recommended by the Zoning Examiner and pass and adopt Ordinance 11428.

11. PRE-ANNEXATION AGREEMENT AMENDMENT: WITH RAYTHEON MISSILE SYSTEMS, TUCSON, AZ

Mayor Rothschild announced City Manager's communication number 14, dated January 10, 2017, was received into and made part of the record. He asked the City Clerk to read Resolution 22703 by number and title only.

Resolution No. 22703 relating to Annexation and Economic Development; authorizing the Mayor to execute a Second Amendment to Pre-Annexation Agreement between the City of Tucson and Raytheon Missile Systems, Tucson, AZ on behalf of the City of Tucson.

Michael Rankin, City Attorney, read technical corrections into the record. He said the term "parties" throughout the agreement need to be capitalized, same with the phrase "net new jobs". He said although they were minor, they were defined terms so capitalizing them took them back to their definition. He said, finally, in Section 2.3(a)(4) and 2.3(a)(5), for consistency at the beginning of both of those subsections, the phrase would read, "Raytheon fails to create and/or employ..."

It was moved by Council Member Fimbres, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Cunningham absent/excused), to pass and adopt Resolution 22703, with the technical corrections.

Comments were made by Council Member Fimbres, Mayor Rothschild, Council Member Kozachik and Vice Mayor Romero on the importance of the Agreement with Raytheon and what it meant to the City of Tucson's economy.

12. ELECTIONS: APPROVING BALLOT LANGUAGE FOR THE MAY 2017 CHARTER AMENDMENT SPECIAL ELECTION FOR A PROPOSED SALES TAX INCREASE, AND ESTABLISHING COMMISSION OVERSIGHT AND A TRUTH-IN-TAXATION POLICY

Mayor Rothschild announced City Manager's communication number 16, dated January 10, 2017, was received into and made part of the record. He asked the City Clerk to read Ordinance 11422, by number and title only.

Ordinance No. 11422 relating to Finance, Transportation, Public Safety and Elections; pursuant to Chapter IV, Section 1(20), Chapter XVI, Section 6 and Chapter XX, Section 2 of the Tucson Charter, Specifying the ballot language for the special election to be held in the City of Tucson, Arizona, on May 16, 2017; providing for oversight of the tax revenues to ensure they are expended for the authorized purposes; and declaring an emergency.

It was moved by Council Member Scott, duly seconded, to pass and adopt Ordinance 11422.

Council Member Fimbres asked if the Mayor and Council could be reminded of how many members there were on the 2012 Bond Oversight Commission and how long the committee was in place in overseeing the spending of the roadwork.

Michael Rankin, City Attorney, responded the 2012 Bond Oversight Commission was created with eleven members; one appointee for each elected officials; four by the City Manager, and they served a term for the period up to when the bond proceeds were expended.

Council Member Fimbres stated there was a question with the language in reference to how long the 2017 Bond Oversight Commission would be in existence.

Mr. Rankin said he believed they were speaking about the Resolution as opposed to the Ordinance and said the Resolution dealt with the Bond Oversight Commission. The 2017 Public Safety Improvement Tax Oversight Commission provided that the presumptive terms of twenty-four months did not apply to the Commission and the Commission and members shall serve until all tax revenues of the Charter amendments were expended.

Mayor Rothschild stated it was important to be clear to the voters that the two Bond Oversight Commissions would be extended throughout the terms of the expenditures and asked Mr. Rankin if he was clear that language was included.

Mr. Rankin stated yes, and said he was looking into the terms of the Resolution that would be coming up for adoption. He said it was stated on page 4 of the Resolution.

Council Member Uhlich expressed her concerns in reference to the maps of the street paving that showed future Proposition 409 projects and future Regional Transportation Authority (RTA) projects. She said what she immediately wished for was a full picture of Proposition 409 with gray lines to show all of the paving that was done with the City bonds. She asked if in the vote, would they were finalizing the attachments or if the City Manager would continue working with the Executive Leadership Team (ELT) on this.

Mr. Rankin stated the plans themselves would come back to the Mayor and Council on January 24, 2017, for approval, and the plans would be an integrated portion of the materials that was going to the voters. He said the Ordinance establishing the ballot language specifically references the plans. He said if there was anything on the draft plans they wanted addressed, they should inform staff prior to the upcoming meeting so changes could be made.

Michael Ortega, City Manager, stated the intent was to show the Mayor and Council the broadness of all that was included; both in RTA and Proposition 409, as well as, the proposal. He said a lot of it would be stripped out because it would not be part of the conversation going forward. He said staff would focus on those improvements that were part of the ballot language.

Council Member Uhlich said she was inclined to show the 409, making it clear that that was not what was being voted on, but to show voters the progress made over five years with that initiative.

Council Member Kozachik stated he agreed and would strip the RTA projects. He also suggested not only putting in a map, but listing all of the streets being considered. He commented on the language for vacancies with respect to the committee and that not all appointees were filled by the City Manager.

Mr. Rankin replied that any vacancies appointed by an elected official, the City Manager would bring it to the Mayor and Council to appoint.

Council Member Kozachik said regarding the list of capital equipment being considered for the police department, he was continually hearing references to bullet proof vests. He said those were not on the list and needed to be.

Mr. Ortega confirmed they were not on the list in front of the Mayor and Council. The list has been updated and one of the only changes made was the addition of the bullet proof vests. He said it was some of the feedback received. He suggested that the item be placed on the Study Session prior to final approval.

Council Member Kozachik commented he still preferred that these all be separate questions because that is what they were. He said he also understood the value in presenting this as a united front to the voters, but as a package it shifted the burden to

public safety to get out in the community, which was a more complex piece of what the City was trying to do.

Mayor Rothschild said he appreciated all the work done by the City Manager, City Attorney, Department Directors and staff, for putting together the ballot measures with the roads and public safety components. He said he would be advocating for the passages of the ballot measure; and that a committee had already been formed; Invest in Tucson 2017 and there were people working it and raising money, as it was a very short campaign with a lot of intense work. He said everyone knew how important it was to see the City as a whole continue to develop the way it ought to and he said they could not look for assistance from the State of Arizona or the Federal Government in meeting the City's needs.

Mayor Rothschild said City roads had come along way, thanks to the supporters of Proposition 409, but it was clear, particularly with regards to residential roads, there was still more work to be done. He said public safety vehicles and equipment also needed upgrades and he envisioned being able to inform the voters they would be receiving a twenty-first century police and fire department if passed. He further stated the success of the measure depended on the Mayor and Council, as well police and fire informing the voters.

Mayor Rothschild expressed Tucson had some of the lowest municipal tax rates than any other city or town in Arizona. He said the City did not have a rental occupancy tax; residential rental tax or sales tax on food for home consumptions and also stated Tucson was just one of six Arizona towns that did not charge any of those taxes. Nine Arizona cities and towns had a lower retail sales tax rate than Tucson and everyone one of the nine charged residential rental taxes; and all but two of those nine charged sales tax on food for home consumption. He said while the City sits and wonders why they strain and stressed every year to see where they were compared to our Sister Cities; where sixty-five Arizona Cities and Towns had a higher retail sales tax rate than Tucson and fifty-eight of those, charged rental occupancy; residential rental tax or both, and fifty-one charged sales tax on food for home consumption. He said it was critical in having our City move in the direction it needed to.

Mayor Rothschild further stated if the measure passed and Tucson's retail sales tax rate goes from two percent to two and a half percent, for a five year period and had a sunset date; it would then move our rate to the median for the State. He said forty-three Arizona Cities and Towns, which he believed there were ninety-two; still had a higher retail sales tax rate than Tucson. He said he felt, as elected officials, it was their responsibility to educate and explain the ballot measure to the voters and he knew the voters cared about having good roads and a twenty-first century police and fire department.

Council Member Kozachik asked when the language was finalized, and they had a ballot measure in front of them; from a stand point of advocacy, in forms of newsletters

or as a governing body, would they be at a point where all they could do was provide information.

Mr. Rankin said they could consider the ban on advocacy in terms of using City resources for any advocacy in effect at the very present. He further stated the City would be providing information through the City Manager's office and publicity pamphlets, which would be providing the voters the information needed in making decisions without advocating.

Council Member Kozachik asked the City Attorney if he was comfortable the ballot language was not subjected to being challenged because they were not specifically using the words "additional half cents" where someone could not come back saying all they were doing was earmarking half of the existing two cents.

Mr. Rankin said he sought the opinions of other attorneys and they believed the ballot format titles were sufficiently clear and establishes a new and additional tax and why it was going to the voters and beyond what it already authorizes. He said particularly he thought the "yes" vote paragraph which specifies that it authorizes the tax for five years and for a half cents transaction privilege and use tax to fund street improvements, public safety investments with the various allocations and then ties it to the individual plans which would limit how it would be expended. He felt with all those things combined makes it clear it was not a set aside of the existing tax revenues, it was for a temporary additional transactional privilege tax.

Council Member Kozachik asked if the point had been made that this was supplementing the budgets and not coming back at the end saying they would put a half cent here or there and begin to pull money out of the operating budgets.

Mr. Rankin stated that was the importance of the resolution. He said the Mayor and Council had been talking about in the various public meetings and reviewing some of the prior election materials, they have had Truth and Bonding policies, but he had not seen any that were Truth in Taxation policies, which was exactly what they were talking about. He said the resolution did not just establish the Oversight Commission and expand the duties of the 2012 Bond Oversight Commission, it formalizes the commitment and it would be reflected in the F & Q's that was included in the publicity pamphlet as well. He said the monies that were brought in; if the voter's approved the taxes; shall be expended for the purposes in the plans and the plans themselves would be referenced in the ballot materials as well, and it would ensure those new revenues from the half cents sales tax had to go for those purposes.

Mr. Rankin said if they looked at the resolution for the Commission Oversight it sets up a process for limited modifications to those plans, but prohibits any modifications to the actual purpose of the funds. An example would be where the street improvement funds could not suddenly be shifted to be used for some other purposes, but there could be a small adjustment, as seen with Proposition 409 where streets were added, but the actual purposes of those revenues could not be shifted.

Vice Mayor Romero said she noticed the Oversight Committees had different titles and she understood they created one before the present one, but suggested they change the names to reflect what each one would be providing, as not to confuse the voters.

Mr. Ortega said the reason one was worded that way was because one existed and was titled that way, but did not disagree that the term “Bond”, may not necessarily be reflected in what they were trying to do in the future. He suggested that if the item moved forward this evening, it could be brought back after the election and have a discussion in terms of the titles; as opposed to having it changed at this time. His nervousness would be if they changed the title names and it was not successful, they would still have that discussion as well. He also said to keep in mind with regards to the entirety of that program, it was not funded today, anything that was done; the monies which were explicit terms of their use, would be additions to what they had today and he said that should give the Mayor and Council a higher level of comfort. He further stated it would be different if those monies were identified for operations or other purposes that were funded today, but if they recalled from the spread sheets provided, there was very little capital and most of those were at zero monies.

Mayor Rothschild asked Mr. Rankin if he was satisfied they did not need to change the ballot language that evening for purposes of the titles for the Commissions.

Mr. Rankin answered he was satisfied and they had time to change the titles if needed.

It was moved by Council Member Scott, duly seconded, and passed by a roll call vote of 6 to 0 (Council Member Cunningham absent/excused), to pass and adopt Ordinance 11422.

Mr. Rankin noted a technical correction in the ballot language into the record. He said there was a blank spot for the ordinance number and date approving the maps and plans for the ballot measures. The date would be changed to January 24, 2017 after the Mayor and Council approval.

Council Member Fimbres asked the City Manager if he would be coming to them to further discuss what was discussed earlier.

Mr. Ortega replied yes. He said he would visit with them ahead of time and they would also have an opportunity at the Study Session and Regular Meeting to bring up anything else they want considered.

Mayor Rothschild asked the City Clerk to read Resolution 22704, by number and title only.

Resolution No. 22704 relating to Finance; adopting a truth-in-taxation policy with respect to the use of tax revenues in the event of voter authorization of the 2017 Charter Amendment for street improvements and public safety improvements at the May 16, 2017 special election; creating the 2017 Public Safety Improvement Tax Oversight Commission; amending the duties of the 2012 Bond Oversight Commission; and declaring an emergency.

It was moved by Council Member Scott, duly seconded, and passed by a roll call vote of 6 to 0, (Council Member Cunningham absent/excused), to pass and adopt Resolution 22704.

13. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Mayor Rothschild announced City Manager's communication number 11, dated January 10, 2017, was received into and made part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Vice Mayor Romero, duly seconded, and carried by a voice vote of 6 to 0 (Council Member Cunningham absent/excused), to approve the appointments of Beverly Heasley, Staci Shea and Brandi Smith to the Pima County/Tucson Women's Commission (PCTWC), and the reappointment of Murray Baker to the Veterans' Affairs Committee (VAC).

Mayor Rothschild asked if there were any personal appointments to be made.

There were none.

14. ADJOURNMENT: 7:01 p.m.

Mayor Rothschild announced the next regularly scheduled meeting of the Mayor and Council would be held on Tuesday, January 24, 2017, at 5:30 p.m., in the Mayor and Council Chambers, City Hall, 255 West Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the City of Tucson, Arizona, held on the 10th day of January 2017, and do hereby certify that it is an accurate transcription.

DEPUTY CITY CLERK

RWR:ds:rg